

Design Review Committee Structure

The Marquis

York County, Virginia

Committee Objective

In order to promote innovation, creativity, and architectural excellence in the design of the “The Marquis”, building, signage, and fencing architectural design shall be subject to review and approval by a designated Design Review Committee. Such approvals, whether for initial construction or for subsequent renovations/alterations involving the exteriors of existing structures, shall be granted based on conformance with the Design Guidelines (attached hereto) for the project (Design Guidelines approved as a condition of the Special Use Permit).

I. *Design Review Committee Structure*

- A. Seven (7) Member Panel - Experience or knowledge in one of the following preferred:
 1. Construction
 2. Design/ Architecture
 3. Real Estate / Shopping Center Industry
 4. Local Design Character / Historical Significance
 5. Prior experience involving group interaction and decision making
- B. Committee Selection – Two (2) members – one a York County Planning Commission member and one a York County staff member – to be selected by York County Board of Supervisors; Two (2) members to be selected by Premier Properties USA, Inc (PPUSA).; Three (3) members to be selected by mutual agreement of York County and PPUSA.
- C. DRC Member Requirements/ Responsibilities
 1. Attendance at regular meetings, and informal work sessions.
 - a. No less than five (5) members must be present to conduct business and take action at a DRC meeting or informal work session.
 2. For every site plan application submitted, the DRC shall meet twice. The first meeting shall be an informal work session for the DRC to critique the plans, and the second meeting shall be the “action” meeting at which the DRC will vote to approve or not approve the plans as submitted or as re-submitted after the initial meeting.
 3. Informal Work Sessions will consist of group discussions / interaction/critique of the design, material selection, function and appearance of the center.
 4. All DRC meetings will be in York County unless an alternate location is agreed upon by all members. Meeting times and dates are to be determined, but will be held in the evening unless determined otherwise by the DRC majority.
 5. Decisions shall be based on whether or not the plans are in conformance with the Design Guidelines and such other design-related conditions and standards as may have been established by the York County Board of Supervisors in conjunction with the Special Use Permit authorization for the project. The DRC may establish supplementary guidance to assist prospective applicants in achieving design approval, provided that such supplementary guidance does not conflict with or alter any of the basic Design Guidelines set out herein or in the Special Use Permit approval. Any proposed change in the basic Design Guidelines shall require review and approval by resolution by the York County Board of Supervisors

D. DRC Final Approval Meeting(s)

1. Five (5) DRC committee members must be present to form a quorum and to take action.
2. DRC members shall be notified seven (7) days in advance, via faxed or mailed written correspondence, of such meeting.
3. Premier Properties USA, Inc. shall submit to each DRC member five (5) working days in advance, copies of each of the following; site plan, sign plan (freestanding), building elevations (including color renderings) and performance features.
4. The DRC will vote to approve or not approve such plans based on meeting the conditions and criteria of the Design Guidelines and any design-related conditions stipulated in the Special Use Permit approval.
5. There must be a majority vote by the DRC for plans to be approved.
6. Appeals of decisions of the DRC shall be to the York County Board of Supervisors. Appeals of decisions of the Board of Supervisors shall be to the Circuit Court in accordance with the same procedures as set out in Section 15.2-2306 of the Code of Virginia.

Subsequent to completion of construction on all the authorized building pads within the project, the seven (7) member DRC shall be adjusted to a membership of three (3) – one member selected by the York County Board of Supervisors, one member selected by PPUSA, and one member selected by mutual agreement of the Board of Supervisors and PPUSA. The 3-member DRC shall then be responsible for reviewing and deciding the appropriateness of any proposed architectural modifications to existing structures within the project. Determinations of appropriateness shall be based on consistency with the Design Guidelines.

- E. Failure to construct in accordance with the plans and details approved by the DRC shall be considered a violation of the Special Use Permit conditions and shall be grounds for the County's denial of a Certificate of Occupancy for the subject structure.

Design Guidelines

Premier Properties USA, Inc. Project: The Marquis – York County, VA

PROJECT MISSION

The design and style of all buildings within the project shall conform to an architecturally compatible design theme that includes, but is not necessarily limited to, the use of consistent and compatible building materials, architectural features, colors, and building heights. The intent of the Design Standards and design review process is to create a harmoniously designed, first class retail center that both the residents of York County, and those visiting York County will be able to enjoy not only as a one of a kind shopping experience, but also as a unique and fun social and gathering place.

Architectural Guidelines (Buildings)

1. Building facades visible from public roads and by project customers (i.e., from circulation drives, parking areas or pedestrian ways) shall be of the highest quality, and will include, but not be limited to, the following:
 - a. Brick
 - b. Wood
 - c. Stone
 - d. Architectural steel / metal / aluminum products
 - e. Burnished masonry units
 - f. Glass
 - g. EIFS / Dryvit
2. Brick and brick type products shall be a prominent material for the project façades. No portion of a building façade visible from a public road or by center patrons (whether from pedestrian ways, vehicular circulation drives, or parking areas) shall be constructed of barren or unfinished concrete masonry unit (cinder block), corrugated material, sheet metal, or vertical metal siding.
3. The back of buildings (“Back of House” / “Service Areas”) may utilize standard painted masonry units for such areas where such facades are obstructed from view public streets and shopping center customers (pedestrian ways, vehicular circulation drives, or parking areas).
4. For buildings with flat roofs:
 - a. Parapet walls with materials consistent with the rest of the building shall be in place so as to obstruct the view of HVAC and mechanical equipment and the roof deck.
 - b. Roof drainage shall be contained with internal roof drains. No exposed gutters or downspouts are permitted unless they are obstructed from public view or such gutters are decorative in nature (copper, etc.)
5. Building façades greater than fifty (50') shall incorporate either wall plane projections or recesses, bay divisions, or decorative building appendages in order to break up large building masses.
6. Building color palette and materials shall be: consistent throughout the project; consistent with the “Materials Capsheet” (JPRA Architects, Page 15, August 31, 2005) submitted with SUP application; and consistent with the “Yorktown Color Palette” which shall be defined as those exterior colors represented by the “Preservation Exterior Palette” published by Sherwin Williams Company or on the “Williamsburg Collection” palette published by Martin Senour Paints, provided however, that this shall not be

construed to require the use of paints from these companies and color matches from other companies shall be acceptable..

7. Freestanding/detached buildings (whether single or multi-tenant/user) within the project shall have clearly defined, and highly visible customer entrances featuring no less than three of the following:
 - a. Canopies or porticos
 - b. Overhangs
 - c. Recesses / projections
 - d. Raised cornices or parapets over the doors
 - e. Peaked roofs
 - f. Arches
 - g. Display windows
 - h. Elevate Storefront Glass (in excess of 14')
 - i. Integral planters or wing walls that incorporate landscaped areas and/ or places for sitting
8. Gas lines servicing roof top units, or any other gas line cannot be exposed (mounted) on the building. Such lines must be installed inside of the building, or in an exterior chase that is architecturally integrated with the building design .
9. Roof access shall be inside of the buildings, unless completely obscured from view from public roads, circulation drives, parking areas or pedestrian ways.
10. Building address identification shall be consistent throughout, and conform to the design theme.
11. All architectural, performance, parking lot, street lighting, and signage shall conform to the development design theme.
 - a. Parking lot lighting pole height shall be limited to 25' in height.
 - i. Illumination levels shall not exceed .5 foot candles at all external property lines.
 - b. All building and freestanding signage shall be internally lit provided however that the DRC may approve external illumination if by down-lighting/full-cutoff fixtures .
 - c. No exposed neon will be allowed for signage or building accent lighting.
 - d. Mercury vapor lighting shall not be permitted.
12. All parking lot cart corrals shall be designed with materials compatible with the project design. No outdoor storage of carts will be allowed unless appropriately screened from view.